

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EDSAL MANUFACTURING COMPANY,
INC.,

Case No. 2:23-cv-00972-RFB-NJK

Plaintiff,

Order

V.

JS PRODUCTS, INC.

Defendant.

On November 15, 2023, the Court granted Plaintiff's motion to compel. Docket No. 30.

10 The Court ordered Defendant to respond to Plaintiff's First Set of Interrogatories and Requests for
11 Production no later than November 29, 2023. *Id.* at 6.

On December 1, 2024, Plaintiff filed a motion for an order to show cause for Defendant's failure to comply with the Court's order. Docket No. 31. The Court found that Defendant failed to timely respond to Plaintiff's discovery requests and further failed to substantively respond to the discovery requests. Docket 39 at 3. As a result, the Court ordered Defendant to show cause why monetary sanctions should not be imposed. *Id.* at 4.

On April 3, 2024, Defendant filed a response to the Court’s order to show cause. Docket No. 48. Defendant submits that it sought to comply with the Court’s November 15th Order in good faith, but was unable to timely respond to the discovery requests due to scheduling conflicts between Defendant and Defendant’s counsel during the Thanksgiving holiday. *Id.* at 4, 8. Defendant submits that any delay in serving responses to the discovery requests was not a material violation of the Court’s order because Plaintiff was not prejudiced and that any delay was excusable because the deadline to comply fell on the Thanksgiving holiday. *Id.* at 8-9. Defendant further submits that its unavailability to work on a joint protective order was not in bad faith or in willful violation of the Court’s order because Defendant focused its efforts on responding to the discovery requests. *Id.* at 9-10. Further, Defendant submits that its objections premised on the Local Patent Rules, the absence of a protective order, and the scope of the discovery requests were not made in bad faith or willful effort to violate the Court’s order. *Id.* at 10-13.

1 The Court finds that, while Defendant attempted to comply with the Court's order, it could
2 have done more – for example, Defendant should have sought an extension from the Court when
3 it realized it could not meet the Court-ordered deadline. Therefore, the Court declines to sanction
4 Defendant. Defendant must make every effort to comply with all orders in the future.

Accordingly, the order to show cause is **DISCHARGED**.

IT IS SO ORDERED.

Dated: April 4, 2024

~~Nancy J. Koppe
United States Magistrate Judge~~